

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

**CATHERINE L. FOUNTAINE**

Plaintiff

vs.

**CASE NUMBER: 5:11-CV-457 (NAM/DRH)**

**MICHAEL J. ASTRUE, COMMISSIONER OF SOCIAL SECURITY**

Defendant

**Decision by Court.** This action came to hearing before the Court.  
The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That upon consent of the parties the final decision of the Commissioner is hereby REVERSED and the matter is REMANDED to the defendant for further administrative action pursuant to sentence 4 of 42 USC section 405(g), further it is ordered that the within matter is hereby DISMISSED in accord with the decision in Melkonyan v Sullivan.

All of the above pursuant to the order of the Honorable Judge Norman A. Mordue, dated the 28th day of December, 2011.

DATED: December 29, 2011

  
Clerk of Court

s/

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Joanne Bleskoski  
Deputy Clerk